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ways than it is easy to name or to comprehend, to know and to feel, that any executive possessing the power of judicial appointment with an unlimited extent of selection, and who does not so exercise that power as to satisfy the general public of all parties, commits a grievous sin against his own conscience and the stern demands of justice. That man, or that class of men, who bestow judicial appointments to gratify party or to remove rivalry, richly deserves all the infamy which posterity will be very sure to mete out to him.

I. F. R.

REPORTS OF CASES ARGUED AND DETERMINED IN THE SUPERIOR COURT OF THE CITY OF NEW YORK. By JOSEPH BOSWORTH, LL.D., late Chief Justice of the Court. Vol. 8. W. C. Little, Albany. 1864. Pp. 753.

We have had occasion heretofore to commend Justice Bosworth's Reports in this journal, and regret to add that this is, no doubt, the last volume which we shall have from his able pen. So much conscientious diligence has rarely been given to any series of reports. They were prepared under very favorable circumstances, as the reporter, owing to his official position, had peculiar advantages for consultation with the judges who decided the cause, and well knew what cases were carefully studied and deserved to be reported. There are some cases of much interest in this volume. One of these is *Young v. Bushnell*, p. 1, in which there is a valuable examination of the law of estoppel *in pais*. There is also a branch of the extensive litigation growing out of the divorce of Forrest, in which it is held, approving 3 Bosworth 661, that on a divorce of a wife for a husband's adultery, no evidence of the reputation, conduct, associations, or habits of the wife, since the judgment of divorce was pronounced, is admissible to affect the question of alimony: p. 631.

A large part of the present volume is edited and prepared for the press by the Messrs. Abbott, who are favorably known to the profession as the editors of Abbott's Digest, and who have performed their part of the work with ability and fidelity.

T. W. D.

A SUMMARY OF THE LAW OF PARTIES TO ACTIONS AT LAW AND SUITS IN EQUITY. By OLIVER L. BARBOUR, LL.D. Albany: W. C. Little, Law Bookseller. 1864. Pp. 611.

This work is one that was much needed. The preface informs us that there is "no American treatise on the subject of parties to actions at law, and only one on parties in equity; and that having been published more than thirty years ago, and long since out of print." The changes which have been introduced into the law upon this subject by statute, and especially by the Code of Procedure in New York, are noticed, and the decisions of the courts construing these statutes are fully collected.

The work is comprehensive in its plan, and prepared with care and

accuracy. It well deserves the patronage of the profession generally, and will prove especially serviceable to practitioners in the state of New York and the other states which have substantially adopted the New York Code of Procedure.

T. W. D.

THE CODE OF PROCEDURE OF THE STATE OF NEW YORK AS AMENDED TO 1864, WITH NOTES, AN APPENDIX AND INDEX. Eighth Edition. By JOHN TOWNSEND. New York: John S. Voorhies, 20 Nassau Street. 1864. Pp. 1002.

This work is so well known to legal practitioners in the state of New York that it is only necessary to notice its appearance. The fact that it has passed through eight editions is a sufficient guarantee of its value. The arrangement of the book is an annotation upon the sections, so that it is highly convenient for immediate use. The decisions incorporated in the volume include all the reports published to June of the present year. We have observed a steady improvement in this work since its first appearance. We would especially commend the condensed and tabular view of the law which it gives in many instances. Thus on the 36th and 37th pages there is a brief statement of what a judge at chambers can do and what he cannot do; on the 403d and 404th pages there is a collection of the cases in which an injunction has been allowed and when it has been refused. This arrangement might be even more extensively introduced as a summary of the results of the decisions upon the various sections, as it would enable a practitioner to determine at a glance upon the authorities which bear upon a point under consideration.

T. W. D.

RULES OF LAW FOR THE CARRIAGE AND DELIVERY OF PERSONS AND PROPERTY BY RAILWAY, WITH THE LEADING STATUTES AND DECISIONS OF ILLINOIS, INDIANA, MICHIGAN, OHIO, PENNSYLVANIA, NEW YORK, AND THE UNITED STATES. Prepared for Railway Companies and the Legal Profession. By CHARLES C. BONNEY, Member of the Illinois Bar, Chicago. E. B. Myers, Law Bookseller and Publisher. 1864.

A small work of two hundred and odd pages, unique in plan, unambitious but containing in a compendious form a satisfactory answer to the most common questions arising as to the rights and liabilities of carriers by rail. If every railroad company would put this little book into the hands of its employees, so simple, intelligible, and accurate are its statements of statutes and decisions, we are satisfied the expense would be many times saved to them every year.

For the lawyer it has the merit of presenting a digest of an important title of the law, in a succinct, orderly, and attractive manner. The value of the book is much increased by a very full table of contents and index—accessories to any book worth reading at all, for which one most willingly pays.

J. A. J.